

# 11

## Combined Declaration and Power of Attorney for Patent Application

Attorney Docket No. 16518.050/CGNE 099.00USRe

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **METHODS AND COMPOSITIONS FOR REGULATED TRANSCRIPTION AND EXPRESSION OF HETEROLOGOUS GENES**, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on: May 19, 2000  
 as United States Application Number 09/574,946; and  
 was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

U.S. Patent No. 5,753,475, matured from application Serial No. 08/105,852, filed August 10, 1993, and is believed to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than the patentees had the right to claim in the patent.

1. Applicant believes their original patent to be partly inoperative or invalid by reason of the patentee claiming less than patentee had the right to claim in the patent.
2. The errors include omission of appropriate method and composition claims supported by the specification for the original US patent, failure to claim priority to co-pending application serial no. 07/988,158, and failure of the USPTO to properly acknowledge the priority claimed to co-pending application serial nos. 07/078,924, 07/437,764 and 07/826,696 as designated in the executed declaration submitted on October 18, 1993.
3. All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the Applicant.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Dennis R. Hoerner, Jr., Reg. No. 30,914  
 Alissa M. Eagle, Reg. No. 37,126  
 Timothy C. Bickham, Reg. No. 41,618  
 Andrew S. Brenc, Reg. No. 45,534  
 Scott A. Chambers, Reg. No. 37,573  
 June E. Cohan, Reg. No. 43,741  
 Timothy R. De Witt, Reg. No. 35,857  
 Joel M. Freed, Reg. No. 25,101  
 Leslie L. Jacobs, Jr., Reg. No. 40,659

David R. Marsh, Reg. No. 41,408  
 Joseph Micallef, Reg. No. 39,772  
 Holly Logue Prutz, Reg. No. 47,755  
 Joseph W. Ricigliano, Reg. No. 48,511  
 Sidney A. Rosenzweig, Reg. No. 43,893  
 Michael J. Songer, Reg. No. 39,841  
 William Sekyi, Reg. No. 45,831  
 Milan M. Vinola, Reg. No. 45,979  
 Robert Jones Worrall, Reg. No. 37,969

Send Correspondence to:

### ARNOLD & PORTER

555 12<sup>th</sup> Street, N.W.  
 Washington, D.C. 20004-1206  
 Facsimile: (202) 942-5999

Direct Telephone Calls to: (202) 942-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Applicant, Patentee and Assignor: Christine K. Shewmaker

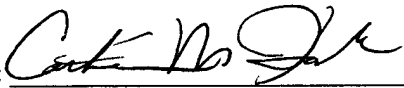
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 1409 Spring Creek  
Woodland, CA 95695

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Catherine M. Houck

Signature:  Date: 3-21-02

Citizenship: United States of America

Post Office Address: 172 Carmel Court  
Vacaville, CA 95686

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Vic C. Knauf

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 1013 Hillview Lane  
Winters, CA 95694

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Jean C. Kridl

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 538 Reed Drive  
Davis, CA 95616

Residence Address: same as Post Office Address.

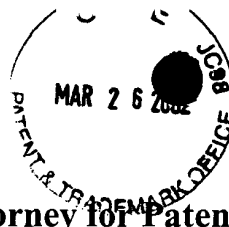
Applicant, Patentee and Assignor: Daniel Facciotti

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 428 Roos Street  
Davis, CA 95616

Residence Address: same as Post Office Address.



#11

## Combined Declaration and Power of Attorney for Patent Application

Attorney Docket No. 16518.050/CGNE 099.00USRe

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **METHODS AND COMPOSITIONS FOR REGULATED TRANSCRIPTION AND EXPRESSION OF HETEROLOGOUS GENES**, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on: May 19, 2000  
as United States Application Number 09/574,946; and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

U.S. Patent No. 5,753,475, matured from application Serial No. 08/105,852, filed August 10, 1993, and is believed to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than the patentees had the right to claim in the patent.

1. Applicant believes their original patent to be partly inoperative or invalid by reason of the patentee claiming less than patentee had the right to claim in the patent.
2. The errors include omission of appropriate method and composition claims supported by the specification for the original US patent, failure to claim priority to co-pending application serial no. 07/988,158, and failure of the USPTO to properly acknowledge the priority claimed to co-pending application serial nos. 07/078,924, 07/437,764 and 07/826,696 as designated in the executed declaration submitted on October 18, 1993.
3. All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the Applicant.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Dennis R. Hoerner, Jr., Reg. No. 30,914  
Alissa M. Eagle, Reg. No. 37,126  
Timothy C. Bickham, Reg. No. 41,618  
Andrew S. Brenc, Reg. No. 45,534  
Scott A. Chambers, Reg. No. 37,573  
June E. Cohan, Reg. No. 43,741  
Timothy R. De Witt, Reg. No. 35,857  
Joel M. Freed, Reg. No. 25,101  
Leslie L. Jacobs, Jr., Reg. No. 40,659

David R. Marsh, Reg. No. 41,408  
Joseph Micallef, Reg. No. 39,772  
Holly Logue Prutz, Reg. No. 47,755  
Joseph W. Ricigliano, Reg. No. 48,511  
Sidney A. Rosenzweig, Reg. No. 43,893  
Michael J. Songer, Reg. No. 39,841  
William Sekyi, Reg. No. 45,831  
Milan M. Vinola, Reg. No. 45,979  
Robert Jones Worrall, Reg. No. 37,969

Send Correspondence to:

**ARNOLD & PORTER**  
555 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-1206  
Facsimile: (202) 942-5999

Direct Telephone Calls to: (202) 942-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Applicant, Patentee and Assignor: Christine K. Shewmaker

Signature: Christine K. Shewmaker Date: 3/4/02

Citizenship: United States of America

Post Office Address: 1409 Spring Creek  
Woodland, CA 95695

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Catherine M. Houck

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 172 Carmel Court  
Vacaville, CA 95686

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Vic C. Knauf

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 1013 Hillview Lane  
Winters, CA 95694

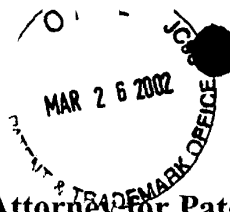
Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Jean C. Kridl

Signature: Jean C Kridl Date: 3/12/02  
Citizenship: United States of America  
Post Office Address: 538 Reed Drive  
Davis, CA 95616  
Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Daniel Facciotti

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Citizenship: United States of America  
Post Office Address: 428 Roos Street  
Davis, CA 95616  
Residence Address: same as Post Office Address.



# 11

## Combined Declaration and Power of Attorney for Patent Application

Attorney Docket No. 16518.050/CGNE 099.00USRe

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **METHODS AND COMPOSITIONS FOR REGULATED TRANSCRIPTION AND EXPRESSION OF HETEROLOGOUS GENES**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on: May 19, 2000  
as United States Application Number 09/574,946; and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

U.S. Patent No. 5,753,475, matured from application Serial No. 08/105,852, filed August 10, 1993, and is believed to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than the patentees had the right to claim in the patent.

1. Applicant believes their original patent to be partly inoperative or invalid by reason of the patentee claiming less than patentee had the right to claim in the patent.
2. The errors include omission of appropriate method and composition claims supported by the specification for the original US patent, failure to claim priority to co-pending application serial no. 07/988,158, and failure of the USPTO to properly acknowledge the priority claimed to co-pending application serial nos. 07/078,924, 07/437,764 and 07/826,696 as designated in the executed declaration submitted on October 18, 1993.
3. All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the Applicant.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Dennis R. Hoerner, Jr., Reg. No. 30,914  
Alissa M. Eagle, Reg. No. 37,126  
Timothy C. Bickham, Reg. No. 41,618  
Andrew S. Brenc, Reg. No. 45,534  
Scott A. Chambers, Reg. No. 37,573  
June E. Cohan, Reg. No. 43,741  
Timothy R. De Witt, Reg. No. 35,857  
Joel M. Freed, Reg. No. 25,101  
Leslie L. Jacobs, Jr., Reg. No. 40,659

David R. Marsh, Reg. No. 41,408  
Joseph Micallef, Reg. No. 39,772  
Holly Logue Prutz, Reg. No. 47,755  
Joseph W. Ricigliano, Reg. No. 48,511  
Sidney A. Rosenzweig, Reg. No. 43,893  
Michael J. Songer, Reg. No. 39,841  
William Sekyi, Reg. No. 45,831  
Milan M. Vinola, Reg. No. 45,979  
Robert Jones Worrall, Reg. No. 37,969

Send Correspondence to:

### ARNOLD & PORTER

555 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-1206  
Facsimile: (202) 942-5999

Direct Telephone Calls to: (202) 942-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Applicant, Patentee and Assignor: Christine K. Shewmaker

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 1409 Spring Creek  
Woodland, CA 95695

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Catherine M. Houck

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 172 Carmel Court  
Vacaville, CA 95686

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Vic C. Knauf

Signature:  \_\_\_\_\_ Date: 3/12/02

Citizenship: United States of America

Post Office Address: 7013 Hillview Lane  
Winters, CA 95694

Residence Address: same as Post Office Address.

11835 NE YEOMALT A DR  
BAINBRIDGE ISLAND, WA  
98110

V.K.  
3/12/02



Applicant, Patentee and Assignor: Jean C. Kridl

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Citizenship: United States of America  
Post Office Address: 538 Reed Drive  
Davis, CA 95616  
Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Daniel Facciotti

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Citizenship: United States of America  
Post Office Address: 428 Roos Street  
Davis, CA 95616  
Residence Address: same as Post Office Address.

MAR 26 2002

#11

## Combined Declaration and Power of Attorney for Patent Application

Attorney Docket No. 16518.050/CGNE 099.00USRe

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **METHODS AND COMPOSITIONS FOR REGULATED TRANSCRIPTION AND EXPRESSION OF HETEROLOGOUS GENES**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on: May 19, 2000  
as United States Application Number 09/574,946; and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

U.S. Patent No. 5,753,475, matured from application Serial No. 08/105,852, filed August 10, 1993, and is believed to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than the patentees had the right to claim in the patent.

1. Applicant believes their original patent to be partly inoperative or invalid by reason of the patentee claiming less than patentee had the right to claim in the patent.
2. The errors include omission of appropriate method and composition claims supported by the specification for the original US patent, failure to claim priority to co-pending application serial no. 07/988,158, and failure of the USPTO to properly acknowledge the priority claimed to co-pending application serial nos. 07/078,924, 07/437,764 and 07/826,696 as designated in the executed declaration submitted on October 18, 1993.
3. All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the Applicant.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Dennis R. Hoerner, Jr., Reg. No. 30,914  
Alissa M. Eagle, Reg. No. 37,126  
Timothy C. Bickham, Reg. No. 41,618  
Andrew S. Brenc, Reg. No. 45,534  
Scott A. Chambers, Reg. No. 37,573  
June E. Cohan, Reg. No. 43,741  
Timothy R. De Witt, Reg. No. 35,857  
Joel M. Freed, Reg. No. 25,101  
Leslie L. Jacobs, Jr., Reg. No. 40,659

David R. Marsh, Reg. No. 41,408  
Joseph Micallef, Reg. No. 39,772  
Holly Logue Prutz, Reg. No. 47,755  
Joseph W. Ricigliano, Reg. No. 48,511  
Sidney A. Rosenzweig, Reg. No. 43,893  
Michael J. Songer, Reg. No. 39,841  
William Sekyi, Reg. No. 45,831  
Milan M. Vinola, Reg. No. 45,979  
Robert Jones Worrall, Reg. No. 37,969

Send Correspondence to:

### ARNOLD & PORTER

555 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-1206  
Facsimile: (202) 942-5999

Direct Telephone Calls to: (202) 942-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Applicant, Patentee and Assignor: Christine K. Shewmaker

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 1409 Spring Creek  
Woodland, CA 95695

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Catherine M. Houck

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 172 Carmel Court  
Vacaville, CA 95686

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Vic C. Knauf

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Citizenship: United States of America

Post Office Address: 1013 Hillview Lane  
Winters, CA 95694

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Jean C. Kridl

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Citizenship: United States of America  
Post Office Address: 538 Reed Drive  
Davis, CA 95616  
Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Daniel Facciotti

Signature: Daniel Facciotti Date: 3/7/02  
Citizenship: ~~United States of America~~ SWITZERLAND  
Post Office Address: 428 Roos Street  
Davis, CA 95616  
Residence Address: same as Post Office Address.